

REMARKS

This application has been carefully reviewed in light of the Office Action dated May 29, 2003 (Paper No. 11). Claims 1 to 12 remain in the application, of which Claims 1, 5 and 9 are independent. Claims 1 to 12 are being amended herein.

Reconsideration and further examination are respectfully requested.

Claims 1 to 12 were rejected under 35 U.S.C. §102(e) over U.S. Patent 6,122,403 (Rhoads).

The present invention concerns capturing an image by an image capturing device and selectably embedding specific information in the captured image data, using a watermarking technique, prior to the image capturing device outputting the image data.

By virtue of this arrangement, it is possible to embed information such as a watermark in image data captured by an image capturing device before the image data is output by the image capturing device.

Turning to the specific language of the claims, Claim 1 defines an image capture apparatus which records image data of captured image on a recording medium. The image capture apparatus including a reproducing unit, an embedding unit, an output unit, and a selecting unit. The reproducing reproduces the image data captured from the recording medium, the embedding unit embeds specific information into the captured image using a digital watermarking technique, and the outputting unit outputs the image data. The image data captured and output by the image capture apparatus includes the specific information or not depending on a selection by the selecting unit of either a first process or a second process. When the first process is selected, the embedding unit

embeds the specific information into the image data and the outputting unit outputs the image data including the specific information to the outside, and when the second process is selected, the embedding unit does not embed the specific information into the image data and an outputting unit outputs the image data not including the specific information to the outside.

The applied art, namely Rhoads, is not seen to teach or to suggest an image capture apparatus that captures image data from a recording medium and selectably embeds specific information using a watermarking technique into the captured image data before outputting the captured image data.

Rhoads is seen to describe a watermarking technique in which an N-bit value is embedded onto a signal using a low-amplitude encodation signal so that the embedded information looks like noise. (See Rhoads, col. 6, lines 12 to 55). The cited portions of Rhoads (i.e., col. 69, lines 32 to 35 and 49 to 56, col. 72, lines 15 to 23 and 45, and col. 73, lines 45 to 50) are seen to describe use of this technique of embedding watermarking information as noise in a signal with Adobe PhotoShop. In particular, the cited portions are seen to describe a plugin for use with Adobe's PhotoShop application, which allows a user to write and read watermarks in an image. Rhoads, at col. 73, lines 27 to 50, is seen to describe a dialog box displayed in a user interface, which is used by the user to specify an access restriction and associated information. The user inputs information in the dialog box and then clicks the "OK" button, which results in the embedding of information in the image, or clicks the "cancel" button, to abort the process.

Use of a plugin to a software application to embed watermarking information in the application's data is not seen to be the same as an image capturing

apparatus capturing image data and selectably embedding watermark information in the captured image data prior to the image capturing apparatus outputting the image data.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claims 5 and 9 are believed to be in condition for allowance for at least the same reasons.

The remaining claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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